

REMARKS

Claims 1-7 and 9 are currently pending. Support for the amendments to claims 1 and 6 may be found in the specification as originally filed, for example, paragraph [0032].

I. The Rejection under 35 U.S.C. 112

Claims 1-9 rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite.

The Examiner states it is unclear from the Specification and the claims whether the ultraviolet absorber is copolymerized with component A or component B. The Examiner also states that the basis for the weight percent is not stated in claims 2 and 7.

Applicants' claims recite that the ultraviolet absorber is copolymerized with both the methacrylate polymer (A) and the acrylic crosslinked elastic particles (B).

Claims 2 and 7 have been amended for clarity to recite that the amount is based the entire methacrylic resin composition (C).

It is respectfully submitted that Applicants' claims are clear and definite and it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

II. The Anticipation Rejection Based on Nishida et al

Claims 1, 3-6, and 8 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Nishida et al (US 6,387,497 B1).

Applicants respectfully submit that the present invention is not anticipated over the disclosures of Nishida et al and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Claim 1 of the present application relates to a methacrylic resin composition which comprises a methacrylic resin composition (C) which is obtainable by polymerizing a methacrylate polymer (A) in the presence of acrylic crosslinked elastic particles (B).

The methacrylate polymer (A) is obtainable by polymerizing a monomer mixture (a) including:

- (i) 50 to 100 wt% of alkyl methacrylate and
- (ii) 0 to 50 wt% of alkyl acrylate.

The acrylic crosslinked elastic particles (B) are obtainable by copolymerizing a monomer mixture (b) including:

- (iii) 50 to 100 wt-% of alkyl acrylate and
- (iv) 50 to 0 wt% alkyl methacrylate and
- (v) a polyfunctional monomer including two or more non-conjugated double bonds per molecule.

Furthermore 0.01 to 30 parts by weight of a certain ultraviolet absorber of the general formula (1) are copolymerized relative to 100 parts by weight of the methacrylic resin composition (C). This ultraviolet absorber is copolymerized with both the methacrylate polymer (A) and the acrylic crosslinked elastic particles (B).

Claim 1 of the present application recites that the elastic particles are preformed before the methacrylate polymer (A) is formed and that they are predominantly acrylic. On the other hand the polymer (A) is required to be predominately methacrylic.

Nishida et al describes two separate embodiments. The first synthetic organic particles (Nishida et al: col. 3, lines 9 to 20) do not include any benzotriazole UV absorber, so that they are not relevant for the presently claimed subject matter.

The second synthetic organic particles are described in Nishida et al, col. 3, lines 21 to 32 and col. 5, line 55 ff as well as examples 7 to 10. The cores of organic polymer (A'), which the Examiner might equate with the crosslinked elastic particles (B) mentioned in claim 1 of the present application, are stated to comprise (meth)acrylic monomer (Nishida et al: col. 5, lines 57 to 60). In the more detailed description in col. 6, lines 19 to 28 it is again only mentioned that either (meth)acrylates can be employed. In examples 7 to 10 only methacrylates are used in the cores of organic polymer (A').

The specific disclosure in the examples of Nishida et al teaches methacrylates rather than acrylates.

Claim 1 of the present application further requires that the benzotriazole UV absorber is copolymerized with both the methacrylate polymer (A) and the acrylic crosslinked elastic particles (B). In contrast thereto, Nishida et al teaches that the benzotriazole UV absorber should only be present in the cores of organic polymer (A'). Toluene is actually added to the reaction medium in the step of preparing the cores of organic polymer (A') to ensure that the non-reacted part of benzotriazole compound is minimized (Nishida et al: col. 7, lines 13 to 45).

For the reasons as set forth above, the subject matter of the present application is novel over the disclosures of Nishida et al.

For the above reasons, it is respectfully submitted that the subject matter of claims 1, 3-6, and 8 is neither taught by nor made obvious from the disclosures of Nishida et al et al and it is requested that the rejection under 35 U.S.C. §102 be reconsidered and withdrawn.

III. The Obviousness Rejection Based on Nishida et al

Claims 2 and 7 rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Nishida et al (US 6,387,497 B1).

Applicants respectfully submit that the present invention is not obvious over the disclosures of Nishida et al and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Nishida et al does not teach or suggest or provide any reason to make and use the methacrylic resin composition for the same reasons as set forth in Section II above.

Additionally, as to any obviousness issues raised by Nishida et al, it is an object of the present application to provide a methacrylic resin composition capable of forming a film excellent in transparency, weatherability, hardness, shock resistance, bending-fracturing resistance, and moldability (present application: paragraph [0007] bridging pages 3 and 4). This is achieved by a methacrylic resin composition as defined in present claim 1, in which in particular the ultraviolet absorber is copolymerized with both the methacrylate polymer (A) and the acrylic crosslinked elastic particles (B). As is explained in paragraph [0032] on page 16 of the present application if the ultraviolet absorber is copolymerized with both the methacrylate polymer (A) and the acrylic crosslinked elastic particles (B) the weatherability is considerably and unexpectedly improved.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-7 and 9 is neither taught by nor made obvious from the disclosures of Nishida et al and it is requested that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

IV. Conclusion

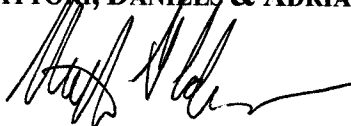
In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §112 and the rejection under 35 U.S.C. §§102 and 103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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